

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO.: 0:23-CV-61233-JEM

THE SMILEY COMPANY SPRL,

Plaintiff,

v.

THE INDIVIDUALS, PARTNERSHIPS AND  
UNINCORPORATED ASSOCIATIONS  
IDENTIFIED ON SCHEDULE "A,"

Defendants.

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**PLAINTIFF'S MOTION TO UNSEAL**

Plaintiff, The Smiley Company SPRL, by and through its undersigned counsel, hereby moves this Court for an Order unsealing all documents that have been restricted/sealed from the Court docket and returning all portions of the Court file to the public records. As grounds therefore, Plaintiff states:

1. On July 5, 2023, Plaintiff filed its *Ex Parte* Motion for Entry of Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets, together with the supporting Declarations and Exhibits (the "*Ex Parte* Motion for TRO") [ECF No. 5], pursuant to Local Rule 5.4(d), which requires, unless the Court directs otherwise, *ex parte* filings be restricted from public view. That same day Plaintiff also filed its *Ex Parte* Motion for Order Authorizing Alternate Service of Process on Defendants (the "*Ex Parte* Motion for Alternate Service") [ECF No. 6].

2. On July 6, 2023, the Court issued a Sealed Order Authorizing Alternative Service of Process (the "Sealed Alternate Service Order") [ECF No. 8]. Then, on July 27, 2023 the Court

entered a Sealed Order Granting Plaintiff's *Ex Parte* Application for Entry of Temporary Restraining Order (the "Sealed Temporary Restraining Order") [ECF No. 8].

3. On August 11, 2023, Plaintiff received identifying information from the third-party platform Red Bubble and was later that day attended to service of the Defendants.

4. Plaintiff has confirmed the restraints of Defendants' accounts and has served the Complaint, Summons, Sealed Temporary Restraining Order, and Order Referring the Preliminary Injunction Hearing to Magistrate Judge Becerra together with all pleadings and filings in this matter on each Defendant in this action by: (1) providing the address to Plaintiff's designated Serving Notice Website to Defendants via e-mail to the e-mail accounts provided by the e-commerce platform associated with each of the Seller IDs, and (2) posting a copy of all documents filed in this matter at the URL <https://www.dropbox.com/scl/fo/kyoawq4v7n4w3qapw5s4k/h?rlkey=jn9hxy95wltwy6y04p7fmuxn&dl=0>.

5. As a seal on this matter is no longer required, Plaintiff respectfully requests this matter be unsealed and the portions of the docket relating to Plaintiff's *Ex Parte* Motion for TRO, together with all other documents that have been restricted from the Court docket, be returned to the public portions of the Court file.

WHEREFORE, Plaintiff respectfully requests this Court issue an Order unsealing all documents filed with the Court that have been restricted from the Court docket and direct the Clerk to return those portions of the Court file to the public records.

Date: August 11, 2023

Respectfully submitted by,

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